

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Gina Criscione, as Executor of the Estate of** Case No. 1:24-cv-01446-PAB  
**Deceased Dorothy Mandanici,**

**Plaintiff,**

**JUDGE PAMELA A. BARKER**

-vs-

**Laura DiVincenzo, et al.,**

**SHOW CAUSE ORDER**

**Defendants.**

On August 23, 2024, Plaintiff filed the above-entitled action. Since that original filing, the record indicates that the Plaintiff has failed to serve any of the Defendants as required by the Federal Rules of Civil Procedure.

Once a plaintiff has commenced an action in the federal courts, the plaintiff bears the burden to obtain service of process upon each defendant. To effectuate service upon a defendant, the Civil Rules require the plaintiff to act in a reasonable and diligent manner. Specifically, Rule 4(m) of the Federal Rules of Civil Procedure provides:

(m) Time Limit for Service. If a defendant is not served within 90 days after the complaint is filed, the court--on motion or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This subdivision (m) does not apply to service in a foreign country under Rule 4(f), 4(h)(2), or 4(j)(1), or to service of a notice under Rule 71.1(d)(3)(A).

Because there is nothing contained in the record that demonstrates why service upon any of the Defendants has not been completed within ninety (90) days, the Court hereby notifies Plaintiff

that unless good cause is shown for failure to serve Defendants as provided under the Rules, the case will be dismissed without prejudice on December 11, 2024.

**IT IS SO ORDERED.**

Dated: December 2, 2024

*s/Pamela A. Barker*

PAMELA A. BARKER

UNITED STATES DISTRICT JUDGE